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Attorneys for Defendant
JUSTIN GRAY

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUSTIN GRAY, et al.

Defendants.

Case No. 1:20-cr-00238-JLT-SKO

**STIPULATION AND PROPOSED
ORDER FOR CONTINUANCE,
RESETTING OF TRIAL DATE, AND
PRETRIAL SCHEDULE FOR JUSTIN
GRAY**

Trial for Justin Gray, charged in the Third Superseding Indictment with two counts under 18 U.S.C. 1959(a)(1), is currently set for September 23, 2025.¹ Due to the circumstances discussed in the Declaration of Counsel in Support of Stipulation and Proposed Order for Continuance, Resetting of Trial Date, and Pretrial Schedule for Justin Gray, filed under seal, counsel for Mr. Gray and the Assistant United States Attorney

¹ Mr. Gray's trial was previously severed from the other defendants. Doc #1340. Of the ten additional defendants named in the Third Superseding Indictment (Doc #1098), three (Stinson, Johnson, and Clement) were convicted after a trial in January and February of this year; three (Bash, Smith, and Bannick) have pled guilty. The trial of the remaining four defendants (Weaver, Pitchford, Collins, and Perkins) is set for April 21, 2026. Doc #1857.

1 have consulted and propose the following trial date and schedule for pretrial activities.
2 The parties request that the September 23, 2025 trial date, and the previous scheduling
3 order (Doc #1373) be vacated.

4 Proposed schedule:

5 **I. TRIAL DATE.**

6 Counsel requests the trial be set for January 27, 2026.

7 Counsel stipulate that time is to be excluded under the Speedy Trial Act in that
8 good cause exists and that the ends of justice outweigh the interest of the public and the
9 defendant in a speedy trial.

10 **II. SCHEDULING ORDER.**

11 A. Recordings/transcripts to be offered in the government case-in-chief:

12 1. For recordings/transcripts already produced: 75 days before trial.

13 2. For recordings/transcripts not yet produced:

14 a. Under a protective order restricting access only to the
15 attorneys/defense team: 70 days before trial.

16 b. Access by Mr. Gray: 45 days before trial.

17 B. Disclosure of government experts:

18 1. Formal Rule 16 notice: 75 days before trial.

19 C. Notice of any uncharged misconduct evidence that the government intends
20 to use, as required by Fed. R. Evid. 404(b): 90 days before trial.

21 D. Statements the government intends to offer under Fed. R. Evid.
22 801(d)(2)(E):

23 1. Under a protective order restricting access only to the
24 attorneys/defense team: 70 days before trial.

25 2. Access by Mr. Gray: 45 days before trial.

26 E. Any Jencks Act/Giglio materials:

27 1. Under a protective order restricting access only to the
28 attorneys/defense team: 70 days before trial.

- 1 2. Access by Mr. Gray: 45 days before trial.
- 2 F. Witnesses to be called by the Government in its case-in-chief:
- 3 1. Informal preliminary witness list: 70 days before trial.
- 4 2. Finalized witness list: 45 days before trial.
- 5 3. Any modifications to the finalized witness list to account for the
- 6 information contained in the defendant's lists: 15 days before trial.
- 7 G. Exhibits to be introduced by the government in its case-in-chief:
- 8 1. Informal preliminary exhibit list: 60 days before trial.
- 9 2. Finalized exhibit list: 45 days before trial.
- 10 H. Jointly proposed juror questionnaire: 75 days before trial.
- 11 I. Daubert Motions:
- 12 1. Defense: 45 days before trial.
- 13 2. Government: 30 days before trial.
- 14 J. Substantive non-Daubert Motions: 45 days before trial.
- 15 K. Motions in limine:
- 16 1. Filing: 45 days before trial.
- 17 2. Opposition: 30 days before trial.
- 18 3. Hearing: January 12, 2026
- 19 L. Proposed voir dire questions, jury instructions, and verdict forms for both
- 20 parties: 30 days before trial.
- 21 M. Defense witness and exhibit lists: 30 days before trial.
- 22 N. Defense experts:
- 23 1. Informal notification, along with topics upon which the witness will
- 24 testify: 60 days before trial.
- 25 2. Formal Rule 16 notice: 45 days before trial.
- 26 O. Government's Proposed Protective order to be produced to the defense: at
- 27 least 90 days before trial.
- 28

1 Dated: May 25, 2025

/s/ James S. Thomson

2 /s/ Timothy J. Foley

3 JAMES J. THOMSON
4 TIMOTHY J. FOLEY
Attorneys for JUSTIN GRAY

5 Dated: May 25, 2025

MICHELE BECKWITH
Acting United States Attorney

6 /s/ Stephanie M. Stokman

7 STEPHANIE M. STOKMAN
8 Assistant United States Attorney


9
10 **[PROPOSED] ORDER**

11 GOOD CAUSE APPEARING, and after consideration of all the circumstances
12 and the Declaration of Counsel in Support of Stipulation and Proposed Order for
13 Continuance, Resetting of Trial Date, and Pretrial Schedule for Justin Gray;

- 14 (1) The trial date of September 23, 2025, and previous scheduling order are
15 vacated.
- 16 (2) Trial in this matter will be set for January 27, 2026, and the schedule set
17 forth in the stipulation is adopted.
- 18 (3) Time is to be excluded until January 27, 2026, under the Speedy Trial Act
19 in that good cause exists and the ends of justice outweigh the interest of the
20 public and the defendant in a speedy trial.

21 IT IS SO ORDERED.

22
23 Dated: May 26, 2025


JENNIFER L. THURSTON
United States District Judge